

Memorandum

INFORMATION: Federal Drug Testing Custody
and Control Form

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All DHHS Certified Drug Testing Laboratories

On August 19, 1994 the Department of Transportation (DOT) issued an amendment to 49 CFR Part 40, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs." This amendment implemented mandatory use of the Federal Drug Testing Custody and Control Form for all DOT urine collections. The rule also permitted the use of old seven-part forms until February 16, 1995, at which point only the new Federal forms may be used. A number of laboratories have requested DOT interpretation of what to do if an employer/collection site submits an old form after February 16, 1995.

Specimens collected on or after February 16, 1995, utilizing the old forms should not be rejected simply because of the use of an out-of-date form, but should be analyzed by the laboratory if possible. Upon detecting that a collection site has submitted an out-of-date form, the laboratory should use existing procedures to correct recoverable collection problems, i.e., as a minimum, a signed statement from the collector explaining why the old forms were used. Laboratories should ensure that their collection sites have the new forms and documentation should be available that a laboratory initiated corrective action when an old form was submitted.

Specimens collected before February 16, 1995, utilizing the old forms should be analyzed by the laboratory even though the specimens are received at the laboratory after February 16. The laboratory need not obtain a signed statement from the collector who collects a specimen prior to February 16.

Laboratory personnel must be mindful that when an employer is audited for rule compliance, the employer may be fined if the Federal form is not used starting February 16, 1995. Laboratories should make all efforts to ensure that employers and collection sites which laboratories support understand the requirements of the rule regarding use of the Federal Drug Testing Custody and Control Form.